

South Carolina Department of Public Safety, State Transport Police

231963

2010.2347


USDOT#
 2036416
Legal: CHARLIE WILLIAMS**Operating (DBA):** FAMILY TOURS & TRAVEL**MC/MX #:** 714745**State #:** F**Review Type:** Safety Audit – New Entrant**Location of Review/Audit:** Company Facility in the U.S.**Scope:** Entire Operation**Territory:****Operator Types:** Interstate Intrastate**Carrier:** Non-HM

N/A

Shipper: N/A

N/A

Cargo Tank:

N/A

Business: Individual**Gross Revenue:** \$8300**for year ending:** 12/29/2010**Company Physical Address:**
 100 SOUTH PARLER AVENUE
 ST GEORGE, SC 29477, UNITED STATES
Contact Name: Charlie Williams**Phone numbers:** (1) 8435639475

(2)

Fax: 8779128737**E-Mail Address:** familytours2010@yahoo.com**Company Mailing Address:**
 100 SOUTH PARLER AVENUE
 ST GEORGE, SC 29477, UNITED STATES
Carrier Classification:

Authorized for Hire

Cargo Classification:

Passengers

Does carrier transport placardable quantities of HM? No**Is an HM Permit required?**

No

Driver Information:

	Inter	Intra
< 100 Miles:	0	0
>= 100 Miles:	2	0

Average trip leased drivers/month: 0**Total Drivers:** 2**CDL Drivers:** 2**Equipment:**

	Owned	Term Leased	Trip Leased
Motor Coach	2	0	0

	Owned	Term Leased	Trip Leased
Motor Coach	2	0	0

Power units used in the U.S.: 2**Percentage of time used in the U.S.:** 100
 SENT / DMS
 12/29/2010

 RECEIVED
 12/29/2010




CHARLIE WILLIAMS (FAMILY TOURS & TRAVEL dba)
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Review Date:
12/29/2010

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10311 Wilson Boulevard, Building D-2, PO Box 1993
Blythewood, SC 29016

This SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed:

Name: Charlie Williams

Title: Owner

Name: Bolinda Hilliard

Title: Office Manager





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Part B - Questions and Answers

An asterisk (*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

Question General # 1 Section # 387.7(a) Acute	Answer
Does the carrier have the required minimum level of financial responsibility in effect (property carrier)?	N/A
Question General # 2 Section # 387.7(d) Critical	Answer
Does the carrier have required proof of financial responsibility (property carrier)?	N/A
Question General # 3 Section # 387.31(a) Acute	Answer
Does the carrier have the required minimum level of financial responsibility in effect (passenger carrier)?	Yes
Question General # 4 Section # 387.31(d) Critical	Answer
Does the carrier have required proof of financial responsibility (passenger carrier)?	Yes
Question General # 5 Section # 13901 (392.9a(a)(1))	Answer
Is the motor carrier authorized to conduct interstate operations in the United States?	Yes
Question General # 6 Section # 390.15(b)(1)	Answer
Can the carrier provide a complete accident register of recordable accidents?	N/A
Question General # 7 Section # 390.15(b)(2) Critical	Answer
Does the carrier have copies of all accident reports required by States or other government entities or insurers?	N/A
Question General # 8 Section # 390.3(e)	Answer
Is the carrier knowledgeable of the FMCSRs/HMRs?	Yes
Question General # 9 Section # 390.21	Answer
Does the carrier know the commercial motor vehicles marking requirements?	Yes
Question Driver # 1 Section # 391.51(a) Critical	Answer
Does the carrier maintain driver qualification files?	No *
Additional Documents Required	
Driver qualification files; Up to three (3) files which include newly hired drivers if applicable.	
Comments	
Driver - Charlie Williams - Hire Date - 9/20/2010 - Trip Date - 11/23/2010 - St. George, SC to New York, NY. File missing previous employer driver safety performance history.	
Question Driver # 2 Section # 391.11(b)(4) Acute	Answer
Is the carrier using physically qualified drivers?	Yes
Question Driver # 3 Section # 391.45(a), 391.45(b) Critical	Answer
Is the carrier using a driver without a medical certificate or with an expired medical certificate?	No



Question Driver # 4 Section # 391.15(a) Acute Is the carrier using any disqualified drivers?	Answer No
Question Driver # 5 Section # 391.51(b)(2) Critical Does the carrier maintain driving inquiry data in driver qualification files?	Answer Yes
Question Driver # 6 Section # 382.115(a), 382.115(b) Acute Has the carrier implemented an alcohol and/or controlled substances testing program?	Answer Yes
Question Driver # 7 Section # 382.213(b) Acute Has the carrier used drivers who have used controlled substances?	Answer No
Question Driver # 8 Section # 382.215 Acute Has the carrier used a driver who has tested positive for a controlled substance?	Answer No
Question Driver # 9 Section # 382.201 Acute Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?	Answer No
Question Driver # 10 Section # 382.505(a) Acute Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?	Answer No
Question Driver # 11 Section # 382.301(a) Critical Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function?	Answer Yes
Question Driver # 12 Section # 382.303(a) Critical Has the carrier conducted post accident testing on drivers for alcohol?	Answer N/A
Question Driver # 13 Section # 382.303(b) Critical Has the carrier conducted post accident testing on drivers for controlled substances?	Answer N/A
Question Driver # 14 Section # 382.305 Acute Has the carrier implemented random testing program?	Answer Yes
Question Driver # 15 Section # 382.305(b)(1) Critical Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate or prorated rate of the average number of driver positions?	Answer Yes
Question Driver # 16 Section # 382.305(b)(2) Critical Has the carrier conducted controlled substance testing at the applicable prorated rate of not less than the applicable annual rate of the average number of driver positions?	Answer Yes
Question Driver # 17 Section # 40.305(a) Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?	Answer N/A
Question Driver # 18 Section # 40.309(a) Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?	Answer N/A



Question Driver # 19 Section # 382.211 Acute	Answer
Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?	No
Question Driver # 20 Section # 382.503 Critical	Answer
Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?	N/A
Question Driver # 21 Section # 383.23(a) Critical	Answer
Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?	No
Question Driver # 22 Section # 383.37(a) Acute	Answer
Has the motor carrier knowingly allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?	No
Question Driver # 23 Section # 383.51(a) Acute	Answer
Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?	No
Question Operations # 1 Section # 395.1(e)(1), 395.1(c)(2)	Answer
Does the carrier have a system for recording hours of duty status on 100/150- mile radius drivers, and are they properly utilizing the 100/150 air-mile radius exemption?	N/A
Question Operations # 2 Section # 395.8(a) Critical	Answer
Does the carrier require drivers to make a record of duty status?	Yes
Question Operations # 3 Section # 395.8(l) Critical	Answer
Does the carrier require drivers to submit records of duty status within 13 days?	Yes
Question Operations # 4 Section # 395.8(k)(1) Critical	Answer
Can the carrier produce records of duty status and supporting documents for selected drivers?	Yes
Question Operations # 5 Section # 395.3(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)	N/A
Question Operations # 6 Section # 395.3(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)	N/A
Question Operations # 7 Section # 395.3(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)	N/A
Question Operations # 8 Section # 395.3(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)	No
Question Operations # 9 Section # 395.5(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)	No



Question Operations # 10 Section # 395.5(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)	Yes *
Additional Documents Required	
Evidence of corrective action consisting of description of the system that the carrier will use to control hours of service and verify the accuracy of records of duty status, the types of supporting documents that will be used, documentation showing hours of service checks and false log checks, and the results.	
Comments	
Driver - Ellard Britt - Trip Date - 11/21/2010 - St. George, SC to New York, NY. Driver drove 3 hours after being on duty 15 hours.	
Question Operations # 11 Section # 395.5(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)	N/A
Question Operations # 12 Section # 395.5(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)	No
Question Operations # 13 Section # 395.8(e) Critical	Answer
Does available evidence indicate a selected driver has prepared a false record of duty status?	No
Question Operations # 14 Section # 392.2 Critical	Answer
Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?	Yes
Question Operations # 15 Section # 392.9(a)(1) Critical	Answer
Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?	N/A
Question Operations # 16 Section # 392.4(b) Acute	Answer
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?	No
Question Operations # 17 Section # 392.5(b)(1) Acute	Answer
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?	No
Question Operations # 18 Section # 392.5(b)(2) Acute	Answer
Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?	No
Question Maintenance # 1 Section # 396.3(b) Critical	Answer
Can the carrier produce maintenance files for requested vehicle(s)?	Yes
Question Maintenance # 2 Section # 396.17(a) Critical	Answer
Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?	Yes
Question Maintenance # 3 Section # 396.11(a) Critical	Answer
Does the motor carrier require drivers to complete vehicle inspection reports daily?	No *
Additional Documents Required	
30 days of driver vehicle inspection reports on each vehicle for up to three (3) vehicles.	
Comments	
Driver - Charlie Williams - Trip Date - 11/23/2010 - St. George, SC to New York, NY. Vehicle Number 1 - 1998 Vanhool - Driver not preparing dvirs.	



Question Maintenance # 4 Section # 396.11(c) Acute Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?	Answer N/A
Question Maintenance # 5 Section # 396.9(c)(2) Acute Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made?	Answer N/A
Question Maintenance # 6 Section # 396.19 Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?	Answer Yes
Question Maintenance # 7 Section # 396.3 Can the carrier explain its systematic, periodic maintenance program?	Answer Yes
Question Other # 1 Section # 375.211 Does the carrier participate in an Arbitration Program?	Answer N/A
Question Other # 2 Section # 13702.0 Does the carrier assess shipper freight charges based upon published tariffs?	Answer N/A
Question Other # 3 Section # 375.401(c) Does the carrier provide reasonably accurate estimates of moving charges?	Answer N/A
Question Other # 4 Section # 375.407(a), 375.703(b) Has the carrier avoided "hostage freight" or other predatory practices?	Answer N/A
Question Other # 5 Section # 387.301(a), 387.301(b) Does the HHG carrier have sufficient levels of public liability and cargo insurance?	Answer N/A
Question Other # 6 Section # 375.215 Does the carrier have a published tariff and is the motor carrier changing the applicable rate (375.215).	Answer N/A
Question Other # 7 Section # 375.213 Can the motor carrier identify the five documents required to be given to a prospective individual shipper prior to executing an order for service?	Answer N/A
Question Other # 8 Section # 49 CFR 37 subpart H Does the carrier have the means to provide accessible over-the-road bus (OTRB) service on a 48-hour advance notice basis by its owned or leased OTRBs?	Answer N/A
Question Other # 9 Section # 49 CFR 37 subpart H If the carrier does not have the means then does the carrier have an arrangement with another carrier that operates accessible OTRBs?	Answer N/A

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.



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Part B

Your Proposed Safety Audit Result is: **PASS**

Explanation of Scoring Methodology

Factor	Failed Questions Critical	Acute	Performance Test Status	Total Points	Factor Status
1. General	0	0	—	0	PASS
2. Driver	1	0	—	1	PASS
3. Operations	1	0	—	1	PASS
4. Maintenance	1	0	PASS — 0.00 %	1	PASS
5. Hazardous Materials	—	—	—	—	—
6. Accidents	—	—	PASS — 0.00	—	PASS
SUM	3	0		3	PASS

Result: Carrier has adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

HOW THE 3A IS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

OVERALL STATUS DETERMINATION - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.





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Part B Requirements and/or Recommendations

1. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
2. Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR.
3. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
4. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
5. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
6. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.
7. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
8. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
9. Notice: On April 28, 2003, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. Under the new rule, drivers may drive 11 hours after 10 consecutive hours off-duty, but may not drive beyond the 14th hour after coming on-duty. Similar to existing rules, drivers may not drive after being on-duty for 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day period. This on-duty cycle may be restarted whenever a driver takes at least 34 consecutive hours off-duty. Short-haul truck drivers, who routinely return to their place of dispatch after each duty tour and then are released from duty, may have an increased on-duty period of 16 hours once during any seven consecutive day period.

Passenger-carrying motor carriers and drivers are not subject to the new maximum driving limits. For more information on these regulations, please access the FMCSA website at www.fmcsa.dot.gov.
10. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.
11. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001
For questions about licensing, authority or MC numbers: 202-366-8805
For questions about insurance: 202-385-2423
For household goods complaints: 888-DOT-SAFT (888-368-7238)
12. Provide pre-trip safety information to motorcoach passengers. For information about the Basic Plan for Motorcoach Passenger Safety Awareness that was published by the Federal Motor Carrier Safety Administration, go to the Agency's Web site at:
<http://www.fmcsa.dot.gov/about/outreach/bus/bus-safety-awareness-plan.htm>
13. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm
14. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

